#4.

EXPRESS MAIL NO. EV105567325

Deposited on <u>July 23, 2002</u> - I hereby certify that this paper and/or fee is being deposited with the United States Postal Service as "Express Mail Post Office of Addressee" service under 37 CFR 1.10 on the date indicated above

and is addressed tot he Commissioner of Patents and Trademarks, Washington, D. C. 20231.

Shahan Islam

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Keith Edwin CURTIS et al.

Serial No.:

09/720,570

Examiner: Unassigned

Filed:

December 21, 2000

Group Art Unit: Unassigned

RECEIVED

For:

Virtual EPROM

Simulation Apparatus

JUL 2:9 2002

OFFICE OF PETITIONS

Commissioner of Patents and Trademarks

Washington, D.C. 20231

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 AND PETITION UNDER 37 CFR 1.183 TO SUSPEND THE RULES

5-1.7/23/02

This is a Response to the attached Notification of Missing Requirements Under 35 U.S.C.

Kindly charge Dep. Rect. No. 50-1296 any required fee,

371 (Notice) and Petition Under 37 CFR 1.183 to Suspend the Rules. The Notification

required an executed oath of Declaration of the inventors. Unfortunately however, this is

simply not possible.

As shown in the attached Declaration, the attorney of record helped draft and supervised the drafting of the original priority U. S. Provisional Application and worked closely with the inventors herein prior to filing the application. (Decl. Para. 3). As the application was a provisional patent application, no Declaration and Power of Attorney was necessary and was

not filed. (Decl. Para. 4). As sworn in the attached Declaration, this application was assigned by the inventors herein to Nugame, Inc. of Las Vegas Nevada, which, in turn, assigned it to Aristocrat Leisure Industries, which later changed its name to Aristocrat Technologies Australia Pty Ltd.. (Decl. Para. 5).

A PCT Application was filed by applicant Aristocrat Technologies Australia Pty Ltd (Decl. Para. 6) and the national stage of the PCT Application was entered into on December 21, 2000. (Decl. Para. 7).

Sometime after the assignment of the provisional application from Nugame to Aristocrat, Nugame closed its doors and is now defunct, with no traceable phone number or office.

(Decl. Para. 8).

Since receiving the Notice, the attorney of record has been trying extensively to find the inventors herein through searches in web databases, calls to the telephone company and directory assistance, as well as calling the former boss and former CEO of Nugame, Mr. Miachel J. Farnham (Farnham). (Decl. Para. 9). Farnham has advised the attorney of record me that he (Farnham) is not aware of the whereabouts of the inventors herein who used to be under Nugames' employ. Accordingly, it is not possible to have the original inventors execute a Declaration and Power of Attorney. In view thereof, the application to suspend the rules is being submitted herewith. (Decl. Para. 10).

In view of the above, it is respectfully requested that the rules be suspended under 37 CFR 1.183 and that a Declaration be deemed to be not required and the Missing Requirement be deemed to be fulfilled.

Respectfully submitted,

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DATE: July 23, 2002

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